

THE OMAHA DAILY BEE.

TWENTY-SECOND YEAR.

OMAHA, THURSDAY MORNING, APRIL 6, 1893.

NUMBER 291.

PASSED THE SENATE

House Bill 33 Finally Gets Through the Upper House as Amended.

LAST SCENES IN A BITTER STRUGGLE

Deadlock Broken After Dinner and the Vote on the Bill Taken.

GLORIOUS TRIUMPH OF A PRINCIPLE

Right of the State to Control Its Creatures Finally Asserted.

VOTE WAS EIGHTEEN TO FOURTEEN

Strength of the Forces is Shown by the Numerous Test Votes Thrown Either Way—Toft Was Absent The Proceedings.

LINCOLN, NEB., April 5.—[Special Telegram to The Bee.] There is rejoicing in the Capital City tonight, although not in sufficient quantities to offset the gloom caused by the depression of the spirits of the railroad crowd. The passage of the maximum rate bill is the key to the situation, and the key is public property. The long and bitter fight is over, and no one is more thankful than the eighteen faithful senators who remained at their post in the face of great personal discomfort for forty-eight hours with the exception of one brief intermission. They declared that they would stay there until the battle was over and they kept their word.

Kien disappoindment is pictured on the faces of the railroad managers and their supporters, who kept hoping against hope until the very last, and haunted the lobby with unequalled persistence. The feeling of relief, now that it is over, is shared by them, for the certainty of defeat seems even preferable to that long deferred hope that in this case brought the most intense kind of heart sickness.

No Deadlocks in Dreams.

Thirty-three senators will tonight sleep a sleep into which nightmares of deadlocks in senate chambers nor visions of maximum rate bills will not come, for they are tired out, and, regardless of railroad affiliations or the question of what was right and which was wrong, will enjoy the rest that nature craves. All with the possible exception of Senator Hahn, who left on the evening train for Hastings to return to the bedside of a sick wife.

This action of the senate this afternoon has cleared up the legislative atmosphere very materially; as there seems to be very little now in the way of a speedy finishing up of business and a sine die adjournment of the joint law making bodies.

It was stated this afternoon that the railroad bill would have to go back to the senate, but it is announced to-night that the clerical error will be corrected by the enrolling clerk. An extra force of clerks has been put on and it is stated that at 9 o'clock tomorrow the long bill will be properly enrolled and ready to go to the governor for his signature. Twelve clerks are working on it tonight and at midnight it had been half disposed of. No doubt seems to be felt as to the action of the executive in the matter.

Deadline Lasted Till Afternoon.

The senate at 1 o'clock this afternoon was still deadlocked. Senator Hahn, who went to Hastings last evening, not having returned, there were whispered rumors that he had continued his journey westward from Hastings and was on his way to Salt Lake City. No one could be found, however, who knew anything about it, and none of the senators seemed to take any stock in the report. The rumor was dispelled at noon by the receipt of a telegram from the absent senator saying he would surely return to Lincoln this afternoon.

Senate Routine Proceeded With.

Johnson then moved that the house be notified that the senate would meet in joint convention at 5 o'clock. This was agreed to and the senate took up bills on third reading. Senate file 197, providing for the election of county commissioners at large instead of by districts, was passed, but senate file 165, authorizing county commissioners to levy 3 cents per capita tax for the support of county agricultural societies failed to receive the necessary majority.

Senator Mattes offered a resolution to the effect that the legislature adjourn sine die on Friday, April 7, the house concurring. The resolution went over under the rules.

Senator Graham offered the following resolution:

For a Long Investigation.

No incident of note occurred during the latter part of the night or this forenoon. Some little friction had been engendered between the independent senators and the lieutenant governor by reason of the latter's action in giving passes to members who wished to give temporary excuse, but the difference was a good natured one. Shortly after 1 o'clock dinner was served on both sides, the lieutenant governor accepting an invitation to dine with the independents.

Then They Sang a Hymn.

At 2 o'clock the situation remained unchanged. At that hour Senator Stewart arose to a question of privilege. He claimed that the rules governing the senate while under a call of the house had been frequently violated and ignored both by senators on the other side and the lieutenant governor. He demanded the regular order.

Dale seconded the demand, but the lieutenant governor declined to recognize it. The independents gathered in a corner and consulted themselves by singing, to the air of "John Brown's Body," a number of improvised verses relating to the maximum rate bill and other subjects.

At 2:25 the sergeant-at-arms appeared with Senator Hahn. Further proceedings under the call were dispensed with. Senator Hahn at once asked unanimous consent to his object, being to return to Hastings, where his wife is lying very low with a serious illness. No objection was made.

Finished Reading the Bill.

The motion to recommit the bill after pending for more than seventeen hours, was defeated at 2:35 and the secretary resumed the reading of the bill.

The secretary finished the reading of the bill at 3:45.

Senator Mattes moved that it be re-committed to the committee of the whole.

Senator Toft commenced an argument in favor of recommitting the bill, in spite of the strenuous efforts of the independent senators to shut off debate by moving the previous question.

Objections of Its Opponents.

He pointed out what he claimed were radical defects in the bill and laid particular stress upon the differences between the printed and engraved bills. He claimed further that the bill contained provisions which were contrary to every principle of common law to the statutes of Nebraska and to decisions of every supreme court. It seemed to him that the bill was so full of mistakes so unconstitutional and so unjust that it ought to be reconsidered.

Senator Mattes also spoke on the motion to reconsider. He stated that no man that motion for not for the purpose of killing the bill, but in order that it might be amended. He paid the independent senators a compliment for what he termed their brave fight for the

PLAIN WORDS FROM PHELPS

England's Conduct in the Bering Sea Case Severely Criticised.

IT WAS NOT ALTOGETHER HONORABLE

Untrustworthy Evidence Sought to Be Introduced by Great Britain—Sir Charles Russell Replies—Proceedings Yesterday Before the Court of Arbitration.

PEARS, April 5.—The Bering sea arbitration court continued in session today. Mr. Phelps continued his argument in behalf of the late George Abbotton. Said, sport and tourist of nobility, who died at New Orleans, was left to his mother for her lifetime, and when he death to be divided among the relatives of the deceased. This negative the report that he divided every thing to the actress, Mrs. Langtry.

After luncheon Mr. Phelps continued his argument for the rejection of the supplementary report of the Bering sea commission. His address was interrupted several times by an exchange of criticisms between the counsel for the two powers.

If had been guiding the policy of the United States, said Mr. Phelps, when Great Britain presented the *courier* case at the last minute I would then have refused to proceed with the arbitration. Great Britain had not sent its agent, but had sent its ambassador.

Sir Richard Webster interposed the remark that Great Britain had announced in her counter case that production at a future date of the Bering sea commission's report.

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